

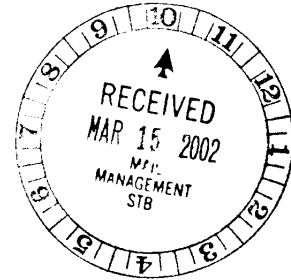


**Joseph Transportation Services, Inc.**  
*a subsidiary of Joseph Transportation*

March 13, 2002

VIA FEDERAL EXPRESS

RECORDATION NO. **18292-C** FILED



Mr. Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001

**MAR 18 '02 11-31 AM**  
**TS**  
**SURFACE TRANSPORTATION BOARD**

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301 (a) are:

Two (2) original copies of a Termination of Lease and Amendment, dated February 15, 2002, a secondary document as defined in the Board's Rules for Recordation of Documents. The enclosed document relates to the Open Top Hopper Letter Agreement and Amendment to the Railroad Equipment Lease Agreement which were previously filed with the Board under Recordation Numbers 18292 and 18292-A. The names and addresses of the parties referenced in the enclosed document are:

Lessor: The David J. Joseph Company  
300 Pike Street  
Cincinnati, OH 45202

Lessee: Delaware and Hudson Railway Company, Inc.  
PO Box 6042, Rm 235 Windsor Sta, Station Centre Ville  
Montreal, P.Q. H3C 3E4 Canada

A description of the railroad equipment covered by the enclosed document is:

69 railcars numbered DJJX 3906-4113, non-inclusive

Please file this agreement as a secondary document under Recordation Number 18292-B as it relates to documents previously filed with the Surface Transportation Board under Recordation Numbers 18292 and 18292-A. This filing is to appear in index as follows: Termination of Lease and Amendment.

Also enclosed is a check payable to the order of the Surface Transportation Board covering the required recordation fee for these documents. Kindly return stamped copies of the enclosed document to me at the address listed below. Should you have any questions or need further information, please do not hesitate to contact me at (513) 345-4408.

Sincerely,

Mary Jo Colebrook, Esq.  
Manager, Contract Administration

/mjc

Enclosures

Corporate Offices: 300 Pike Street, Cincinnati, OH 45202-4222  
Mail Address: P.O. Box 1077, Cincinnati, OH 45201-1077  
513-929-4500 FAX 513-345-4375

## TERMINATION OF LEASE AND AMENDMENT

This Termination of Lease and Amendment acknowledges for the public record that the Open Top Hopper Letter Agreement, dated April 27, 1993 (hereinafter referred to as the "Lease"), and the Amendment to Railroad Equipment Lease dated October 1, 1993 (hereinafter referred to as the "Amendment"), between The David J. Joseph Company, as Lessor, and Delaware and Hudson Railway Company, Inc., as Lessee, with respect to 69 railcars numbered, DJJX 3906-3908, inclusive, 3911-3913, inclusive, 3918, 3926, 3932, 3934, 3942, 3947, 3950, 3961, 3962, 3966, 3967, 3979, 3980, 3983, 3988, 3991, 3996-3998, inclusive, 4004, 4007, 4013-4015, inclusive, 4017, 4019, 4024, 4028, 4031, 4033, 4034, 4039-4041, inclusive, 4043, 4044, 4048, 4051, 4053, 4055, 4057-4059, inclusive, 4062, 4069, 4071-4073, inclusive, 4077, 4078, 4081, 4085, 4087, 4089, 4090, 4097, 4098, 4101, 4106, 4109, 4111-4113, inclusive, has expired in accordance with its terms.

The Lease was duly filed and recorded with the Interstate Commerce Commission on July 24, 1993 under Recordation Number 18292. The Amendment was duly filed and recorded with the Interstate Commerce Commission on February 28, 1994 under Recordation Number 18292-A.

This Termination shall not impair or terminate any of the rights and obligations of the parties under the Lease or Amendment that expressly survive its termination.

Dated this 15<sup>th</sup> day of February, 2002.

THE DAVID J. JOSEPH COMPANY

By: \_\_\_\_\_

Name: \_\_\_\_\_

James H. Goetz

Title: \_\_\_\_\_

Chief Financial Officer

RECORDATION NO. 18292-C FILED  
MAR 18 '02 11-31 AM  
SURFACE TRANSPORTATION BOARD

STATE OF OHIO                                 )  
  ) ss:  
COUNTY OF HAMILTON                         )

On this 15<sup>th</sup> day of February, 2002, before me personally appeared James H. Goetz, to me personally known, who, being by me duly sworn, did say that he is Chief Financial Officer of The David J. Joseph Company, that the foregoing document was signed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of said instrument was the free act and deed of the corporation.

My Commission expires:  
February 20, 2006

